

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
V.	§	CASE NO. 4:06cr119
	§	(Judge Schneider)
JAMES T. KEARINS	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING
DEFENDANT GUILTY ON COUNTS ONE AND TWO OF THE INDICTMENT**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Counts One and Two of the Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed June 13, 2006, are hereby ADOPTED.

It is further ORDERED that Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditional upon a review of the pre-sentence report.

It is finally ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Counts One and Two of the Indictment in the above-numbered cause.

SIGNED this 27th day of July, 2006.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive, flowing style. The first name "Michael" is written in a larger, more prominent script, and "H. Schneider" follows in a similar but slightly smaller script. The signature is positioned above a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE